IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3218 OF 2005

IN

INCOME TAX APPEAL (LODGING) NO. 1264 OF 2005

The Commissioner of Income- Tax .... Appellant
Mumbai

Vs.

M/s Atlanta Infrastructure Ltd. .... Respondent

Mr. B.M. Chatterji & Mrs. P.P. Bhosale for the Appellant.

CORAM : F.I. REBELLO, &
J.P. DEVADHAR, JJ.
DATE : 4TH SEPTEMBER, 2007

P.C.

. The delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the Appeal Memo and considering the affidavit in support of the Notice of Motion, in our opinion, the cause shown would amount to sufficient cause. Hence, delay condoned. The Notice of Motion is allowed in terms of prayer clause (a).

2. Office to register the Appeal.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**